

THE WHITE HOUSE

WASHINGTON

May 7, 2019

Mr. William A. Burck
Quinn Emanuel Urquhart & Sullivan, LLP
1300 I Street NW, Suite 900
Washington, D.C. 20005

Dear Mr. Burck:

I write per your request in reference to a subpoena issued to your client, Donald F. McGahn II, by the Committee on the Judiciary of the United States House of Representatives (the "Committee") on April 22, 2019. That subpoena requests the production of documents by 10:00 a.m. on Tuesday, May 7.

The subpoena seeks certain White House records provided to Mr. McGahn while he was Counsel to the President that are related to Special Counsel Robert S. Mueller, III's investigation. As you know, the White House provided these records to Mr. McGahn in connection with its cooperation with the Special Counsel's investigation and with the clear understanding that the records remain subject to the control of the White House for all purposes. The White House records remain legally protected from disclosure under longstanding constitutional principles, because they implicate significant Executive Branch confidentiality interests and executive privilege.

For these reasons, the Acting Chief of Staff to the President, Mick Mulvaney, directs Mr. McGahn not to produce these White House records in response to the Committee's April 22 subpoena. The Department of Justice is aware of and concurs with this legal position. My Office will respond to the Committee concerning its interest in the records.

Thank you for your attention to this matter. Please do not hesitate to contact me or Mike Purpura if you have any questions.

Sincerely,

A handwritten signature in black ink, reading "Pat A. Cipollone". The signature is fluid and cursive, with a large initial "P" and "C".

Pat A. Cipollone
Counsel to the President